

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
JAMES A. CORBETT, R.PH., : LS0612062PHM
RESPONDENT. :

03 PHM 88

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

James A. Corbett, R.Ph.
914 S 7th Ave.
Park Falls, WI 54552

Wisconsin Pharmacy Examining Board
1400 E. Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter, James A. Corbett, R.Ph., Respondent, and Pamela M. Stach, attorney for the Department of Regulation and Licensing, agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Pharmacy Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. James A. Corbett, R.Ph., 914 S. 7th Avenue, Park Falls, Wisconsin, 54552 (D.O.B. November 22, 1944) is duly licensed in the state of Wisconsin as a pharmacist (license # 7685). This license was first granted on January 30, 1968.
2. An investigation, entitled 03 PHM 88 is pending before the Wisconsin Pharmacy Examining Board.
3. On March 24, 2004 an investigator for the Board observed an unlicensed person transfer a prescription to a patient without a consultation from a licensed pharmacist. At the time, the Respondent was the only pharmacist on duty but he did not have any interaction with the patient.

CONCLUSIONS OF LAW

1. The Wisconsin Pharmacy Examining Board has jurisdiction in this proceeding pursuant to §450.10 Wis. Stats. and is authorized to resolve this proceeding by Stipulation without an evidentiary hearing pursuant to §227.44 (5) Wis. Stats.
2. Respondent's conduct of allowing unlicensed persons to transfer prescriptions to patients and failing to provide consultations to patients constituted a violation of § Phar 7.01(1)(e) and (em) Wis. Adm. Code.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED, that James A. Corbett, R.Ph., is REPRIMANDED.

IT IS FURTHER ORDERED that Respondent shall FORFEIT TWO HUNDRED FIFTY DOLLARS (\$250), to be paid within sixty (60) days from the date of this order.

IT IS FURTHER ORDERED that Respondent shall pay COSTS in the amount of SEVEN HUNDRED DOLLARS (\$700.00), to be paid within sixty (60) days from the date of this order.

All payments shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to: Department Monitor, Division of Enforcement, Dept. of Regulation & Licensing, P. O. Box 8935, Madison, WI 53708-8935.

IT IS FURTHER ORDERED, that pursuant to §227.51(3), Wis. Stats., and RL 6 Wis. Adm. Code, if the Board determines that there is probable cause to believe that Respondent has violated any term of this Final Decision and Order, the Board may order that the license of Respondent be summarily suspended pending investigation of the alleged violation.

This Order shall become effective upon the date of its signing.

Dated at Madison, Wisconsin, this 6th day of December, 2006.

By: Michael Bettiga
A Member of the Board